

Senate Finance Committee Amendment No. 1

Amendment No. 7 to SB3914

**Henry
Signature of Sponsor**

AMEND Senate Bill No. 3914*

House Bill No. 4025

FILED
Date _____
Time _____
Clerk _____
Comm. Amdt. _____

in Section 1, Title III-21 of the printed bill by deleting in their entirety items 14, 15, 16, 17, and 19 and substituting instead the following:

- 14. State Employee Salary Increase – 7/1/0626,000,000.00
- 15. Higher Education Salary Increase – 7/1/066,400,000.00
- 16. State Employee Salary Compression.....21,100,000.00
- 17. State Employee Classification-Compensation... 15,065,000.00
- 19. Deferred Compensation – 401k Match -
State Employees3,801,600.00

and by adjusting the total accordingly.

AND FURTHER AMEND in Section 49, Item 1, of the printed bill by deleting the words and figure “one percent (1%)” and substituting instead “two percent (2%)” and by deleting the period at the end of Item 1 and inserting the following:

; provided, further that in the Office of the Attorney General and Reporter the across-the-board salary increase is not applicable to attorneys, paralegals, and legal secretaries, whose salaries shall be adjusted according to a plan developed by the Attorney General and Reporter, subject to an appropriation for that salary plan being provided in this act.

AND FURTHER AMEND in Section 49 of the printed bill by inserting the following new appropriately numbered items:

Item _____. In addition to the appropriations in Section 1 of this act, there is appropriated the following amounts, and the Commissioner of Finance and Administration may adjust departmental revenues accordingly:

(a) The sum of \$178,000 to fully fund the \$978,000 annual actuarial cost in the judges superseded retirement system, of the September 1, 2006, salary increase for state judges, subject to Senate Bill 3699 / House Bill 3612 becoming a law.

(b) The sum of \$987,700 for a revised pay plan for assistant district attorneys general, subject to Senate Bill 3662 / House Bill 3831 becoming a law.

(c) The sum of \$27, 000 to fully fund the \$327,000 annual actuarial cost, in the district attorneys general superseded retirement system, of the September 1, 2006, salary increase for district attorneys general, subject to Senate Bill 3662 / House Bill 3831 becoming a law.

(d) The sum of \$346,100 for a revised pay plan for assistant public defenders and assistant post-conviction defenders, subject to Senate Bill 1463 / House Bill 1188 becoming a law. From this appropriation, an amount of \$326,100 shall be allotted to the District Public Defenders Conference and \$20,000 to the Office of the Post-Conviction Defender.

(e) The sum of \$1,600,000 for the Attorney General and Reporter's plan to raise salaries of attorneys, paralegals, and legal secretaries employed in the Office of Attorney General and Reporter.

Item _____. From the appropriation in Section 1, Title III-21, Item 17, sums sufficient hereby are appropriated to comply with Tennessee Code Annotated, sections 3-1-107 and 8-1-102.

Item _____. (a) The Commissioner of Personnel is authorized to conduct a study of the compensation structure of departmental management level state employees and to assist in the development of a plan to address the identified areas. There is hereby appropriated the sum of \$1,400,000 to the Miscellaneous Appropriations for the purpose of implementing the plan. There is further appropriated from the appropriation in Section 1, Title III-21, Item 17, a sum sufficient for implementing the management salary plan. Prior to allocating this appropriation, the Commissioner of Personnel and the Commissioner of Finance and Administration shall submit to the Speaker of the Senate, the Speaker of the House of

Representatives, the Chairmen of the Finance, Ways and Means Committees of the Senate and House of Representatives and the Office of Legislative Budget Analysis a plan for allocation of this appropriation to the state agencies.

AND FURTHER AMEND in Section 41, Item 1, of the printed bill, as follows:

(a) In paragraph (2), by deleting the figure “\$3,820,000” and substituting “\$3,801,600”; (b) in paragraph (3) by deleting the figure “\$1,070,000” and substituting “\$1,188,000”; (c) and in paragraph (4) by deleting the figure “\$2,228,000” and substituting “\$2,464,800”.

and by adding a new paragraph (6) in Section 41, Item 1, to read as follows:

(6) It is hereby recognized that the appropriations in Section 1, Title III-10, to supplement the 401(k) \$30 match are \$1,217,900 for the University of Tennessee and \$2,312,100 for the Board of Regents system and that Section 41, Item 1, as amended, reduces the appropriation for this purpose to the University of Tennessee system by \$29,900 and increases the appropriation for this purpose to the Board of Regents by \$152,700.

AND FURTHER AMEND in Section 1, Title III-21, of the printed bill by deleting item 21 in its entirety and substituting instead the following:

21. Group Health Insurance Premium 1/1/07 13,400,000.00

and in Section 1, Title III-9, of the printed bill by deleting item 2.1c in its entirety and substituting instead the following:

c. BEP and Other LEA Support 3,113,253,200.00

and by adjusting the subtotals and totals of Section 1, Titles III-21 and III-9, accordingly.

AND FURTHER AMEND in Section 1, Title III-9, of the printed bill by deleting item 2.1b in its entirety and substituting instead the following:

b. Career Ladder 78,919,200.00

and by adjusting the subtotals and totals accordingly.

AND FURTHER AMEND in Section 1, Title III-21, of the printed bill by deleting item 34 in its entirety and substituting instead the following:

34. Administration Legislation2,282,600.00

and by adjusting the total accordingly.

AND FURTHER AMEND the printed bill by adding the following section to be appropriately numbered:

SECTION _____. From the appropriation in Section 1, Title III-21, Item 34, Administration Legislation, the following amounts are earmarked for implementation of legislation, subject to the specified bill becoming a law:

Item 1. To the Department of Correction, 1985 Sentencing Act, \$38,400 for incarceration costs of Senate Bill 3868 / House Bill 3986, relative to sexual contact with prisoners or inmates;

Item 2. To the Department of Correction, 1985 Sentencing Act, \$32,900 for incarceration costs of Senate Bill 3869 / House Bill 3987, relative to prison contraband;

Item 3. To the Department of Correction, from confiscated cash, \$9,900 for Senate Bill 3870 / House Bill 3988, relative to use of cash confiscated from inmates to support canine units in combating drug trafficking. The Commissioner of Finance and Administration is hereby authorized to adjust departmental revenue estimates for this item;

Item 4. To the Department of Commerce and Insurance, Peace Officers Standards and Training (POST) Commission, \$38,200 for Senate Bill 3897 / House Bill 4013, relative to qualifications of members of the Highway Patrol. From this amount, \$32,600 is recurring and \$5,600 is non-recurring;

Item 5. To the Department of Correction, 1985 Sentencing Act, \$2,152,200 for incarceration costs of Senate Bill 3901 / House Bill 4034, relative to the statute of limitations in sex crimes against children;

Item 6. To the Department of Correction, 1985 Sentencing Act, \$11,000 for incarceration costs of Senate Bill 3926 / House Bill 4027, relative to cemetery regulation; provided further that a sum sufficient is appropriated to the Department of Commerce and

Insurance, to the Cemetery Consumer Protection Account from the fees established pursuant to the bill.

AND FURTHER AMEND the printed bill by adding the following section to be appropriately numbered:

SECTION _____. In addition to the appropriations made in Section 1 of this act, the following amounts hereby are appropriated, and the Commissioner of Finance and Administration is authorized to adjust departmental revenues and authorized positions accordingly:

Item 1. To the District Attorneys General, the amount of \$188,000 for attorneys general retirement prior-service credit, subject to Senate Bill 2112 / House Bill 2013 becoming a law.

Item 2. To the Miscellaneous Appropriations the sum of \$2,131,200 for a monthly benefit adjustment in the Tennessee Consolidated Retirement System for teachers and employees who retired before July 1, 1989, subject to Senate Bill 563 / House Bill 1434 becoming a law.

Item 3. To the District Public Defenders Conference, Executive Director's Office, the sum of \$44,700 for an operating adjustment.

Item 4. To the University of Tennessee Family Medicine program the sum of \$1,375,000.

Item 5. To the University of Tennessee Agricultural Experiment Station the sum of \$200,000 (non-recurring).

Item 6. To the Department of Education, Grants-in-Aid, the sum of \$500,000 to increase grants to Public Television stations.

Item 7. To the Department of Education, Grants-in-Aid, the sum of \$50,000 (non-recurring) to be granted to Tennessee History for Kids for the purposes of operating and

enhancing a web site to provide internet-based curriculum resources for instruction in Tennessee history.

Item 8. To the Miscellaneous Appropriations, the sum of \$50,000 (non-recurring) to be granted to the Tennessee Historical Society for the purposes of continued maintenance, enhancement, and expansion of the on-line edition of the Tennessee Encyclopedia of History and Culture.

Item 9. To the Miscellaneous Appropriations the sum of \$250,000 (non-recurring) to be granted to Watkins Institute.

Item 10. To the Facilities Revolving Fund the sum of \$1,000,000 (non-recurring) for the cost of a mass-transit alternative to downtown parking for state employees in Nashville.

Item 11. To the Department of Environment and Conservation, State Parks Maintenance, the sum of \$2,000,000 (non-recurring).

Item 12. To the Department of Economic and Community Development, FastTrack Infrastructure Development Program, the sum of \$6,000,000 (non-recurring) for the Jobs Package.

Item 13. To the Department of Environment and Conservation, the sum of \$20,000 for in-lieu-of-tax payments to local governments for lands purchased by the state for conservation purposes, pursuant to the 2006 general bond authorization bill.

Item 14. To the State Funding Board, the sum of \$878,000 for the purpose of canceling outstanding general obligation bonds issued for the facility for the mentally retarded in Hardeman County.

Item 15. To the Department of Safety the sum of \$5,433,000, including \$3,565,000 recurring and \$1,868,000 non-recurring to implement program improvements and reforms, to be allocated as follows, and the Commissioner of Finance and Administration shall

adjust departmental revenues and establish 75 full-time and 10 part-time authorized positions accordingly:

(a) To Driver License Issuance the sum of \$3,188,700, including \$1,947,400 recurring and \$1,241,300 non-recurring, and 56 full-time and 10 part-time positions for the purpose of improving services in existing Driver License exam stations and opening seven new stations.

(b) To the Highway Patrol, the sum of \$2,077,300, including \$1,450,600 recurring and \$626,700 non-recurring, and 19 full-time positions for the purpose of improving management (8 positions), internal affairs (7 positions), and professional standards (4 positions).

(c) To Motor Vehicle Operations, the sum of \$167,000 recurring related to operating costs of vehicles required for the additional positions.

Item 16. To the Department of Commerce and Insurance, Peace Officer Standards and Training (POST) Commission, the sum of \$434,200, including \$392,300 recurring and \$41,900 non-recurring, and five full-time positions in order to strengthen the enforcement and audit of training standards by the POST Commission.

Item 17. To the Tennessee Bureau of Investigation, the sum of \$791,700, including \$541,700 recurring and \$250,000 non-recurring, and six forensic science positions for the purpose of improving DNA analysis services.

Item 18. To the Board of Probation and Parole the sum of \$1,740,400, including \$1,050,300 recurring and \$690,100 non-recurring and 13 full-time positions, to be allocated as follows:

(a) To Probation and Parole Services for officer safety improvements, the sum of \$730,600, including \$127,700 recurring and \$602,900 non-recurring and three full-time positions.

(b) To the Community Corrections program, the sum of \$493,300 recurring, in order to provide 7.5 full-time equivalent positions in local programs and to expand electronic monitoring of offenders.

(c) To Probation and Parole Services, the sum of \$516,500, including \$429,300 recurring and \$87,200 non-recurring, and 10 full-time positions in order to establish an enforcement unit.

Item 19. To the Department of Children's Services the sum of \$60,000 for the purpose of providing \$15,000 grants to four existing Court-Appointed Special Advocate (CASA) programs currently not receiving state support. These funds shall be granted by the department to the Commission on Children and Youth for the purpose of distributing the CASA grants.

Item 20. To the Department of Children's Services the sum of \$50,000 to be granted to the Tennessee Chapter of Children's Advocacy Centers.

Item 21. To the Miscellaneous Appropriations the sum of \$4,000,000, including \$150,000 recurring and \$3,850,000 non-recurring for the Biofuels Project.

Item 22. To the Department of Environment and Conservation the sum of \$500,000 (non-recurring) for a rural water supply study.

Item 23. To the Department of Mental Health and Developmental Disabilities, the sum of \$137,700 to be granted to AIM Center in Chattanooga for the Creating Jobs Initiative.

Item 24. To the Department of Economic and Community Development the sum of \$500,000 (non-recurring) to be granted to Southeast Local Development Corporation to support the purchase from TVA of 12 years of water rights on the Ocoee River.

Item 25. To the Miscellaneous Appropriations the sum of \$573,000 (non-recurring) to be granted to museums in the following amounts:

(a) National Civil Rights Museum in Memphis, \$200,000.

(b) Chattanooga African-American Museum, \$100,000

(c) Bradley Academy Museum and Cultural Center in Murfreesboro, \$50,000.

(d) Beck Cultural Exchange Center in Knoxville, \$100,000.

(e) Stax Museum in Memphis, \$123,000.

Item 26. To the Miscellaneous Appropriations the sum of \$100,000 (non-recurring) to be granted to the American Museum of Science and Energy in Oak Ridge.

Item 27. To the Miscellaneous Appropriations the sum of \$1,600,000 (non-recurring) to be granted to the State Veterans Home Board for start-up operating costs of the East Tennessee Veterans Home.

Item 28. To the Department of Finance and Administration the sum of \$1,800,000 (non-recurring) for grants of \$200,000 each to the nine Community Services Agencies (CSA), as follows: Northeast CSA in Johnson City, East Tennessee CSA in Knoxville, Southeast CSA in Chattanooga, Upper Cumberland CSA in Cookeville, Mid-Cumberland CSA in Nashville, South Central CSA in Columbia, Northwest CSA in Union City, Southwest CSA in Jackson, and Shelby County CSA in Memphis.

Item 29. To the Miscellaneous Appropriations the sum of \$100,000 (non-recurring) for a grant to the Upper Cumberland Human Resource Agency for the Individual Development Accounts program. It is the legislative intent that the state contribution, along with federal grants, gifts, and individual savings, support the program to assist individuals with minimal assets in first-home purchase, education or job training, or small-business capitalization.

Item 30. To the Miscellaneous Appropriations the sum of \$260,000 for state agency rent payments. From this appropriation, a sum sufficient not to exceed \$260,000 may be allocated to the District Attorneys General program for the impact of rent increases. The allocation of this appropriation is subject to the approval of the Commissioner of Finance and Administration.

Item 31. To the Executive Department a sum sufficient not to exceed \$300,000 (non-recurring) for a Gubernatorial Transition Office, contingent upon a determination of necessity by the Commissioner of Finance and Administration in order to comply with Tennessee Code Annotated, Title 8, Chapter 1, Part 2.

Item 32. To the Health Services and Development Agency from its dedicated revenues the sum of \$45,700 for operational costs.

Item 33. To the Department of Revenue a sum sufficient from the revenues raised by Senate Bill 3930 / House Bill 4048 relative to taxation, for the purpose of implementing the bill, if it becomes a law.

Item 34. To the Department of Commerce and Insurance the sum of \$58,000, including \$49,700 recurring and \$8,300 non-recurring, from the revenues and reserves of the Pharmacy Board, for the costs of Senate Bill 3660 / House Bill 3560, relative to donation of prescription medicines to charitable clinics for indigent patients.

Item 35. To the Alcoholic Beverage Commission the sum of \$75,000 (non-recurring) from the agency's reserves for start-up costs of implementing Senate Bill 3316 / House Bill 3210, relative to the responsible vendor program, if the bill becomes a law.

AND FURTHER AMEND by adding the following new sections to be appropriately numbered:

SECTION _____. In addition to the appropriations in Section 1 of this act, there hereby is appropriated the sum of \$5,000,000. From the reallocated and additional appropriations in this section, there hereby is appropriated a sum sufficient to implement Senate Bill 3895 / House Bill 4011, relative to Cover Tennessee, Access Tennessee, Cover Rx, Cover Kids, Project Diabetes, and related health care safety net programs, subject to the bill becoming a law. From this appropriation, the Commissioner of Finance and Administration is authorized to allocate and transfer funds to the appropriate organizational units and to adjust departmental revenues and authorized positions accordingly.

Item 1. The appropriation in Section 1, Title III-25, Item 2, TennCare Services, is reduced by \$7,000,000; and there hereby is appropriated the sum of \$7,000,000 to the Department of Finance and Administration for the Cover Kids program.

Item 2. The appropriation in Section 1, Title III-25, Item 2, TennCare Services, is reduced by \$34,000,000 to recognize the federal drug program clawback adjustment; and there hereby is appropriated the sum of \$34,000,000 to the Department of Finance and Administration for the Cover Tennessee program, relative to the uninsured.

Item 3. The appropriation in Section 1, Title III-2, Item 3.8, State Health Planning Division, is reduced by \$30,349,200; and there hereby is appropriated the following amounts to the Department of Finance and Administration:

(a) For Access Tennessee the sum of \$16,849,200, including \$5,000,000 for general premium assistance and \$8,000,000 for premium assistance to uninsurable disenrollees from the TennCare program, to assist them with entrance into the Access Tennessee program. To the extent that there is a balance available from said \$8,000,000 after satisfying the requirement for disenrollees from the TennCare program, the balance hereby is appropriated for general premium assistance.

(b) For Cover Rx the sum of \$11,500,000. In addition to the appropriation in this item, there hereby is appropriated to the Cover Rx program such additional sum as may be available from the unexpended balance of the \$11,500,000 appropriation for health care safety net drug assistance programs in Section 1, Title III-2, Item 3.8, State Health Planning Division, upon the transition from that program to the Cover Rx program.

(c) For Project Diabetes the sum of \$7,000,000, including \$6,000,000 for grants to improve diabetes care and \$1,000,000 to expand National Institutes of Health grants in high schools.

Item 4. The provisions of this item shall take effect upon becoming law, the public welfare requiring it.

(a) In the fiscal years ending June 30, 2006, and June 30, 2007, the unexpended balances of health care safety net appropriations in Public Acts of 2005, Chapter 503, and in this act may be carried forward and hereby are reappropriated for expenditure in the succeeding fiscal year, subject to approval of the Commissioner of Finance and Administration. Provided, however, that payroll savings from Department of Health positions established for the health care safety net shall revert to the general fund.

(b) From the health care safety net reserves carried forward at June 30, 2006, the Commissioner of Finance and Administration is authorized to transfer funds to programs and reserves established under authority of Senate Bill 3895 / House Bill 4011, if the bill becomes a law, and to and between other health care safety net programs.

(c) From the health care safety net reserves carried forward at June 30, 2006, there hereby is appropriated the sum of \$10,000,000 to the Access Tennessee reserve and the sum of \$8,000,000 for a reserve for health care safety net, the latter for the purpose of continuation of health care safety net programs.

(d) From the health care safety net reserves carried forward at June 30, 2006, the Commissioner of Finance and Administration may expend a sum sufficient for Access Tennessee start-up costs, and such sum hereby is appropriated from the health care safety net reserve.

Item 5. All appropriations in this act for the Access Tennessee program may be used for matching federal funds available, through waiver or otherwise, for expanding premium assistance, subject to the approval of the Commissioner of Finance and Administration.

Item 6. In addition to the appropriations elsewhere in this section, sums sufficient hereby are appropriated to the appropriate programs from the revenues and reserves of Cover Tennessee, Access Tennessee, Cover Rx, Cover Kids, Project Diabetes, and related health care safety net programs established under authority of Senate Bill 3895 / House Bill 4011, subject to the bill becoming a law.

SECTION _____. In addition to the appropriations in Section 1 of this act, there hereby is appropriated the following amounts, and the Commissioner of Finance and Administration is authorized to adjust departmental revenue estimates and authorized positions accordingly.

Item 1. To the Department of Education the sum of \$14,910,300 to expand the Coordinated School Health program and, subject to Senate Bill 3991 / House Bill 3750 becoming a law, to implement the bill.

Item 2. To the TennCare program, the sum of \$1,443,100 for the Infant Mortality Initiative, to be administered by the Office of Children's Care Coordination.

Item 3. To the TennCare program, the sum of \$5,000,000, including \$3,000,000 recurring and \$2,000,000 non-recurring for the Women's Health for Underserved Areas Initiative, to be administered by the Office of Children's Care Coordination. From this appropriation, the office shall develop and implement a program targeted to increase access to pre-natal and obstetric care in underserved areas of the state. Such program may include but is not limited to student loan payment assistance for physicians and other appropriate health professionals, grants to help pay for malpractice insurance, capital grants to provide or enhance public health resources focused on pre-natal and obstetric care, and other such strategies as may be identified. It is hereby declared to be the legislative intent that the Office of Children's Care Coordination and the TennCare Bureau coordinate in the development of such programs and that the TennCare Bureau make reasonable adjustments to reimbursement rates for pre-natal, obstetric, and related services in underserved areas as may be necessary to sustain the availability of such services. It is further the legislative intent that the Office of Children's Care Coordination focuses its efforts on those underserved areas where the need is determined to be the most critical. A report identifying any programs developed pursuant to this item and expenditures of funds appropriated hereby shall be submitted quarterly to the Select Committee on Children and Youth. Any funds appropriated hereby which remain unspent at the end of any fiscal year shall not revert but shall be carried forward until expended for the purposes authorized herein.

Item 4. To the Department of Health, the sum of \$3,000,000 (non-recurring) for the Ryan White HIV/AIDS program.

Item 5. To the TennCare program, the sum of \$25,000,000 from the TennCare Reserve for the sole purpose of funding essential access hospital payments.

AND FURTHER AMEND in Section 10 of the printed bill by adding the following new items to be

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appropriately numbered:

Item 26. The following items identified in the 2006-2007 Budget Document as program improvements are hereby designated as recurring appropriations:

(a) Comptroller, "Property Tax Appraisal and Assessment System," in the amount of \$1,600,000 in Section 1, Title III-1, Item 5.2, Office of Management Services.

(b) Higher Education, "Operational Support," in the amount of \$6,400,000 in Section 1, Title III-10, including \$2,144,900 for University of Tennessee and \$4,255,100 for State University and Community College System.

Item 27. The following item identified in the 2006-2007 Budget Document as Miscellaneous Appropriations, "Internet Stalking Legislation – Incarceration Cost," is hereby redesignated as "Internet Stalking – Public Education," and the amount of \$500,000 for this purpose in Section 1, Title III-21, is hereby designated as a non-recurring appropriation.

Item 28. From the appropriations to the Department of Children's Services in Section 1, Title III-22, and Section 4, Title III-21, of this act, it is the legislative intent to implement residential provider rate increases ranging up to 17 percent to address provider network adequacy.

AND FURTHER AMEND in Section 43 of the bill by deleting Item 7 in its entirety and substituting a new Item 7 to read:

Item 7. In the fiscal year ending June 30, 2007, pursuant to Tennessee Code Annotated, Section 4-3-1016, an amount of \$32,800,000 shall be transferred to the general fund from the Department of Transportation funds in the highway fund or other funds.

AND FURTHER AMEND in Section 1, Title III-29, of the printed bill by deleting items 3 and 4.2 in their entirety and substituting instead the following:

3. Highway Maintenance \$252,624,000.00

4.2 State Aid 30,622,000.00

and by adjusting the subtotals and totals accordingly.

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AND FURTHER AMEND in Section 1, Title III-29, of the printed bill in the fourth paragraph after the line-item appropriations by deleting the figure “\$10,600,000.00” and by substituting instead the figure “\$11,750,000.00”.

AND FURTHER AMEND in Section 4, Title III-25, of the printed bill by deleting item 3 in its entirety and substituting instead the following:

3. State Aid9,231,000.00

and adjusting the total accordingly.

AND FURTHER AMEND by adding the following new section to be appropriately numbered:

SECTION ____.

Item 1. In addition to the appropriations made in Section 1, Title III-30, to the State Funding Board, there is hereby appropriated the sum of \$13,740,000 for the amortization of authorized and unissued construction bonds.

Item 2. In addition to the appropriations made in Section 1, Title III-31, for capital outlay, there are hereby appropriated the following sums:

a) UTK – Agriculture – Brehm and McLeod Building Renovations	\$ 4,800,000
b) NSTCC – Additions and Renovations	4,100,000
c) UTK – Support Services Complex	575,000
d) F&A – State Museum – Planning	1,000,000
e) F&A – State Library and Archives – Planning	250,000
f) F&A – Memphis Bioworks Foundation – Grant	1,500,000
g) F&A – City of Clinton Grant – School Integration Memorial	300,000

TOTAL\$12,525,000

Provided further that, from the June 30, 2006, reversion of the Department of State, there is appropriated an amount not to exceed \$250,000 to the State Building Commission for planning of a new State Library and Archives building.

Said funds herein appropriated shall be used solely for improvements, betterments, and additions to state structures and for the acquisition of additional land and space, including the purchase of existing structures and grants, as described or referred to above and as approved by the State Building Commission; provided, further, that all funds appropriated in this act or other general acts of this session for capital outlay shall be subject to the provisions of Tennessee Code Annotated, Title 4, Chapter 15, Part 1, and further expressly providing for the making of grants to governmental entities and/or to Memphis Bioworks Foundation, a not-for-profit organization located in Memphis; and to the City of Clinton, located in Anderson County. Such grants so identified and approved are determined to be for a public purpose.

AND FURTHER AMEND in Section 47, Item 2, of the printed bill by deleting the figure “\$381,800,000” and substituting instead the figure “\$496,900,000” and by inserting a new sentence at the end of the item to read: “The reserve at June 30, 2007, shall include a transfer of \$100,000,000 from the TennCare Reserve.”

AND FURTHER AMEND by adding the following new section to be appropriately numbered:

SECTION ____.

Item 1. As provided in Executive Order No. 36, dated April 19, 2006, the appropriations to the Department of Safety for Titling and Registration in Section 1, Title III-20, Item 9, in the amount of \$25,084,400 and in Section 4, Title III-20, Item 7, in the amount of \$7,576,000; for CID Anti-Theft Unit in Section 1, Title III-20, Item 12, in the amount of \$890,100;

and for Motor Vehicle Operations (supporting CID Anti-Theft Unit) in Section 1, Title III-20, Item 5, in the amount of \$60,900 shall be transferred to the Department of Revenue. The Commissioner of Finance and Administration is authorized to adjust such sums as authorized by the executive order and this act for functions related to the issuance of titles and registrations and for positions assigned primarily to provide support services for titling and registration functions and to transfer authorized positions accordingly.

Item 2. As provided in Executive Order No. 37, dated April 19, 2006, the appropriations to the Department of Safety for Tennessee Law Enforcement Training Academy in Section 1, Title III-20, Item 7, in the amount of \$2,667,500 and in Section 4, Title III-20, Item 6, in the amount of \$1,011,900 and for POST Commission in Section 1, Title III-20, Item 8, in the amount of \$6,465,400 shall be transferred to the Department of Commerce and Insurance. The Commissioner of Finance and Administration is authorized to transfer such additional sums as authorized by the executive order and this act for support services to the training academy and to transfer authorized positions accordingly.

Item 3. The appropriation to the Department of Safety in Section 1, Title III-20, Item 3, Highway Patrol, is reduced by an amount not to exceed \$1,266,300, and Item 5, Motor Vehicle Operations, is reduced by an amount not to exceed \$106,800, and up to 17 criminal investigations positions in the Highway Patrol Division shall be abolished or transferred to the Tennessee Bureau of Investigation. This item is subject to approval of the Commissioner of Finance and Administration.

Item 4. In addition to the appropriation to the Tennessee Bureau of Investigation in Section 1, Title III-19, of this act, there hereby is appropriated a sum not to exceed \$1,373,100, and up to 17 positions shall be established or transferred from the Highway Patrol Division for drug crime investigation. The appropriation and position authorization in this item shall not exceed the amounts reduced in the Department of Safety pursuant to item 3 of this

section. This item is subject to approval of the Commissioner of Finance and Administration.

AND FURTHER AMEND in Section 1, Title III-5, of the printed bill by deleting item 22 in its entirety and substituting instead the following:

22. Underground Storage Tanks..... 21,780,600.00

and by adjusting subtotals and totals accordingly.

AND FURTHER AMEND in Section 4, Title III-5, of the printed bill by deleting item 1 in its entirety and by substituting the following:

1. Administrative Services\$8,980,800.00

and by adjusting subtotals and totals accordingly.

AND FURTHER AMEND by deleting in its entirety Section 39 of the printed bill and substituting the following as a new Section 39:

SECTION 39: The provisions of this section shall take effect upon becoming law, the public welfare requiring it. There is hereby appropriated from departmental revenues and federal aid funds the amounts hereinafter set out:

	<u>2005-2006</u>	<u>2006-2007</u>
Court System		
1. Judicial Programs and Commissions	\$120,200	\$247,200
District Attorneys General Conference		
1. District Attorneys General	\$3,700	\$45,100
2. IV-D Child Support Enforcement	0	119,700
Total District Attorneys General Conference	\$3,700	\$164,800

Treasury Department

1. Treasury Department	\$148,000	\$148,000
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Commissions

1. Tennessee Housing Development Agency	\$12,500	\$37,600
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Finance and Administration

1. State Health Planning Division	\$100,000	\$0
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Tennessee Wildlife Resource Agency

1. Wildlife Resources Agency	\$457,000	\$187,000
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Higher Education - State Administered Programs

1. Federal Family Education Loan Program (FFELP)	\$12,000,000	\$1,602,500
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Military

1. Army National Guard	\$0	\$100,000
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Health

1. Policy Planning and Assessment	\$0	\$61,100
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2. Health Services Administration	475,000	1,300,000
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Total Health	\$475,000	\$1,361,100
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Human Services

1. Child Support	\$219,400	\$399,700
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2. Appeals and Hearings	0	(1,200,000)
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3. Disability Determination	0	1,200,000
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Total Human Services	\$219,400	\$399,700
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GRAND TOTAL

\$13,535,800

\$4,247,900

The Commissioner of Finance and Administration is authorized to establish 90 full-time and 27 seasonal positions and to allocate them to the appropriate organizational units. At June 30, 2006, any unexpended balances of departmental revenues and federal aid funds appropriated in this section are hereby reappropriated in the fiscal year beginning July 1, 2006.

AND FURTHER AMEND in Section 6, Item 1, of the printed bill by inserting a new paragraph at the end of the item to read:

Subject to Senate Bill No. 3912 / House Bill No. 4015 becoming law, there is hereby appropriated a sum sufficient from the internal service funds available to the Department of Finance and Administration, Office of Information Resources, to provide the debt service on general obligation bond and note issues authorized in the amount of \$81,300,000 by Senate Bill No. 3912 / House Bill No. 4015.

AND FURTHER AMEND in Section 8, Item 14 of the printed bill by inserting a new second paragraph to read:

Subject to Senate Bill No. 3912 / House Bill No. 4015 becoming law, there is hereby appropriated a sum sufficient to the Office of Information Resources from the general obligation bonds/notes authorized under Senate Bill No. 3912 / House Bill No. 4015, for the purpose of acquisition and implementation of enterprise resource planning software.

AND FURTHER AMEND in Section 29, Item 21, of the printed bill by inserting the following at the end of the paragraph:

From the appropriation of \$1,870,900 in Item 1.7, THEC Grants, for post-Geier minority financial aid, the following amounts shall be allocated:

(a) To University of Tennessee system the sum of \$450,000.

(b) To Board of Regents system the sum of \$950,000.

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(c) To East Tennessee State University for students from the Knoxville and Chattanooga areas the sum of \$100,000.

(d) To Tennessee Technological University for graduate student stipends the sum of \$370,900.

AND FURTHER AMEND in Section 29, Item 23, of the printed bill, by inserting a new paragraph at the end of the item to read:

The following proposed capital outlay projects, to be funded from school bonds, institutional/auxiliary and other funds, are in addition to those projects listed on pages A-111 and A-112 in the 2006-2007 Budget Document:

Austin Peay State University

Fort Campbell Classroom Building Replacement	\$ <u>3,600,000</u>
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East Tennessee State University

Campus Grounds Improvements	\$ 175,000
College of Medicine Building #2 Basement Renovation	100,000
Johnson City New Downtown Clinic	1,750,000
Johnson City Family Medicine Center	5,500,000
Innovation Park Infrastructure Development	3,000,000
Main Campus Apartments Phase 2	19,500,000
Residence Life Clubhouse Development	1,310,000
Softball Field Development	3,000,000
WETX-FM Transmitter Plant	<u>375,000</u>
	\$ 34,710,000

Middle Tennessee State University

Academic Space Renovations	\$ 2,000,000
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Concrete Industry Management Building	15,500,000
Dairy Farm Improvements	1,650,000
Judd, Gracy, and Smith Halls Reroof	325,000
Peck Hall Renovations	<u>1,140,000</u>
	\$ 20,615,000
<u>Tennessee Technological University</u>	
Astroturf Replacement	<u>\$ 960,000</u>
<u>The University of Memphis</u>	
Student Housing – 400 Bed Expansion	<u>\$ 19,900,000</u>
<u>Walters State Community College</u>	
Agribusiness Pavilion Multi-Use Expansion	<u>\$ 1,000,000</u>
Total	<u><u>\$ 80,785,000</u></u>

AND FURTHER AMEND in Section 35 of the printed bill by adding the following appropriately numbered new item:

Item _____. From the appropriation made to the Department of Children's Services in Section 1, Title III-22, Item 3, in the amount of \$500,000 for higher education financial aid, the Commissioner of Finance and Administration is authorized to make transfers to the Tennessee Higher Education Commission and to the Tennessee Student Assistance Corporation.

AND FURTHER AMEND in Section 36, Item 12, of the printed bill by deleting the language "the Leadership Development Initiative (LDI)." and substituting instead the language "Training Initiatives."

AND FURTHER AMEND in Section 36 of the printed bill by inserting the following new appropriately numbered items:

Item _____. To the Department of Finance and Administration, from the appropriation made in Section 1, Title III-21, Item 30, for the Governor's Methamphetamine Initiative.

Item _____. To the Department of Finance and Administration from the appropriation made in Section 1, Title III-2, Item 3.8, State Health Planning Division.

Item _____. To the Department of Agriculture, from the appropriation made in Section 1, Title III-3, Item 4, Forestry Operations, for the purpose of replacing firefighting pumper units. This carry forward and reappropriation is subject to available funds and approval by the Commissioner of Finance and Administration.

Item _____. To the Department of Economic and Community Development from the appropriation made in Section 1, Title III-8, to support the Tennessee Leadership Development Council and the Three-Star community program.

Item _____. To the Department of Economic and Community Development from the appropriations made in Section 12, Item 19, and in Section 36, Item 34.

Item _____. To the Department of Economic and Community Development from the appropriation made in Section 60, Item 1, for the Jobs Package.

AND FURTHER AMEND in Section 41 of the printed bill by inserting the following new appropriately numbered items:

Item _____. In the fiscal years ending June 30, 2006, and June 30, 2007, there are hereby appropriated sums sufficient from the state reserve for the Help America Vote Act for the purpose of matching federal funds.

Item _____. In the fiscal years ending June 30, 2006, and June 30, 2007, there are appropriated sums sufficient to the Administrative Office of the Courts from dedicated revenues

collected pursuant to Tennessee Code Annotated, Section 16-18-304 for the purpose of funding the municipal court judges and municipal court clerks training and continuing legal education.

Item _____. In the fiscal year ending June 30, 2006, the Department of Economic and Community Development is authorized to carry forward a sum not to exceed \$60,000 to share in the sponsorship of the Automotive News Manufacturing Conference. This carry forward and reappropriation is subject to available funds and approval by the Commissioner of Finance and Administration.

Item _____. In the fiscal years ending June 30, 2006, and June 30, 2007, there are hereby appropriated sums sufficient to the State Museum from donations made to the State Museum. Any unexpended revenues shall not revert to the general fund balance at June 30 and such revenues shall be carried forward in a reserve at June 30 and are hereby reappropriated in the subsequent fiscal year.

Item _____. In the fiscal year ending June 30, 2006, the Secretary of State is authorized to carry forward a sum not to exceed \$950,000 to provide a non-recurring appropriation for the Administrative Procedures Division. This carry forward and reappropriation is subject to available funds and approval by the Commissioner of Finance and Administration.

Item _____. In the fiscal year ending June 30, 2006, the Comptroller of the Treasury is authorized to carry forward the sums of \$125,000 for a study of the benefits of education to Tennessee society and \$250,000 for a Pre-Kindergarten longitudinal study, and such sums may be transferred to the appropriate program in the agency. This carry forward and reappropriation of funds is subject to approval by the Commissioner of Finance and Administration.

Item _____. The Commissioner of Finance and Administration is hereby authorized to establish a reserve account for Community Services Agency (CSA). If any CSA ceases to operate, any fund balances may be deposited to this account. There is hereby appropriated a sum sufficient from the reserve account to provide for outstanding obligations of any CSA or the

ongoing operational cost of any CSA. Disbursement from this fund is subject to the approval of the Commissioner of Finance and Administration.

Item _____. From the appropriations made in Section 1, Title III-1, Item 2, District Attorneys General Conference, the Commissioner of Finance and Administration is authorized to transfer the sum of \$169,700 from item 2.1, District Attorneys General, to item 2.2, District Attorneys General Conference, and to establish three (3) support staff positions in the fiscal year ending June 30, 2006.

Item _____. From the appropriations made in Section 1, Title III-1, Item 4, District Public Defenders, the Commissioner of Finance and Administration is authorized to transfer the following sums and positions from item 4.1, District Public Defenders, to item 4.2, Executive Director: (a) \$20,000 for network expenses and (b) \$176,700 and three investigative analyst positions for legal research.

Item _____. The Commissioner of Finance and Administration is authorized to establish part-time positions as needed for the operation of the Fire Service and Codes Enforcement Academy in the Department of Commerce and Insurance.

Item _____. In the fiscal year ending June 30, 2006, the Commissioner of Finance and Administration is authorized to allocate a sum sufficient from the TennCare Reserve to the Mental Retardation reserve for receivables.

Item _____. In the fiscal year ending June 30, 2006, from the funds appropriated in Section 1, Title III-25, of Chapter 503, Public Acts of 2005, to the TennCare Program, there hereby is allocated a sum not to exceed \$1,074,100 for the purpose of defraying additional uncompensated care at Meharry Medical College.

Item _____. In the fiscal year ending June 30, 2007, from the funds appropriated in Section 1, Title III-25, of this act, to the TennCare Program, there hereby is allocated a sum not to exceed \$1,087,900 for the purpose of defraying additional uncompensated care at Meharry Medical College.

Item _____. In the fiscal years ending June 30, 2006, and June 30, 2007, there hereby is appropriated a sum sufficient to the Department of Finance and Administration from the reserve for the state health planning division.

Item _____. In the fiscal years ending June 30, 2006, and June 30, 2007, there are hereby appropriated sums sufficient from the Tennessee Regulatory Authority's reserve funds to make grants, loans and/or guarantees to RBS Gas Utility, Inc. for its supplier(s) if the Tennessee Regulatory Authority certifies to the Commissioner of Finance and Administration that such grant, loan, or guarantee is necessary to maintain natural gas service to the residents and businesses served by RBS Gas Utility, Inc., in the State of Tennessee, including but not limited to those within the City of Red Boiling Springs. Such grants, loans and/or guarantees so certified are determined to be for a public purpose.

AND FURTHER AMEND the printed bill by adding the following new section to be appropriately numbered:

SECTION _____. The provisions of this section shall take effect upon becoming law, the public welfare requiring it. In addition to the appropriations made in Public Acts of 2005, Chapter 503, and in this act, the following items are appropriated in the fiscal year ending June 30, 2006:

Item 1. To the Department of Correction, the sum of \$5,400,000, to be allocated to the appropriate programs by the Commissioner of Finance and Administration. There is further appropriated the sum of \$12,000,000 in the fiscal year beginning July 1, 2006, for the following purposes: (a) \$10,000,000 to the State Prosecutions program for local jail per diem payments, and (b) \$2,000,000 for utilities costs in state prisons, to be allocated among programs by the Commissioner of Finance and Administration.

Item 2. To the Department of Education the sum of \$300,000 to fund the BEP 2 percent enrollment growth factor.

Item 3. To the Department of Finance and Administration, Division of Mental Retardation Services, the sum of \$20,000,000, to be allocated to the appropriate programs by the Commissioner of Finance and Administration.

Item 4. To the Attorney General and Reporter, Special Litigation program, a sum sufficient not to exceed \$100,000 for expense of outside counsel in the tobacco master settlement agreement case, and the unexpended balance may be carried forward at June 30, 2006, and expended in fiscal year 2006-2007. There is further appropriated a sum sufficient not to exceed \$100,000 (non-recurring) for the same purpose in the fiscal year beginning July 1, 2006.

Item 5. To the Department of Military, TEMA Disaster Relief Grants, the sum of \$4,000,000. The unexpended balance of this appropriation shall be carried forward in the Reserve for Disaster Relief at June 30, 2006. From this appropriation, a sum sufficient not to exceed \$500,000, to be determined by the Commissioner of Finance and Administration, is appropriated to the State Building Commission for capital outlay at Volunteer State Community College, to the extent that April 2006 storm damage capital outlay costs are not recovered from the Risk Management Fund and the Federal Emergency Management Agency.

Item 6. To the Department of Finance and Administration, Division of Administration, the sum of \$185,500 for the purpose of funding a study of the Department of Safety conducted during fiscal year 2005-2006.

Item 7. To the Facilities Revolving Fund the sum of \$7,500,000. There is further appropriated the sum of \$8,000,000 in the fiscal year beginning July 1, 2006, to the Facilities Revolving Fund; provided, the sum of \$100,000 is earmarked from this amount for purposes of funding the creation of one position and related costs within the Office of the State Architect.

AND FURTHER AMEND in Section 1, Title III-31, of the printed bill by deleting from the final paragraph the words “Memphis Biotech Foundation” and substituting instead the words “Memphis Bioworks Foundation”.

AND FURTHER AMEND in Section 2, Item 13, of the printed bill by deleting the incomplete citation “Senate Bill No. ____/House Bill No. ____” and substituting instead the citation “Senate Bill No. 3912 / House Bill No. 4015”.

AND FURTHER AMEND in Section 11, Item 8, of the printed bill by inserting the following new paragraphs after the existing paragraph of the printed bill:

Every LEA shall report the attendance of students enrolled due to displacement by hurricanes, as defined by the Hurricane Emergency Relief Act, within ten (10) days after the first reporting period of the 2006-2007 school year. If the department of education does not receive such report within the time specified, the department of education shall assume no displaced students are in attendance and shall reduce that LEA’s ADM and ADA to reflect that assumption.

For the 2006-2007 school year, the Commissioner of Education has the authority to waive all statutory requirements regarding adoption and submission of LEA budgets, calculation and allocation of BEP funding, and any other financial reporting mandates as may be necessary to effectuate the requirements in paragraphs 1 and 2 of Item 8.

AND FURTHER AMEND in Section 22 of the printed bill by inserting a final sentence to read:

The Commissioner of Finance and Administration and the State Treasurer shall ensure the state’s compliance with the unclaimed property law.

AND FURTHER AMEND in Section 43, Item 11, of the printed bill by deleting the two incomplete citations "Senate Bill No. ____/House Bill No. ____" and substituting instead the citations "Senate Bill No. 3970 / House Bill No. 4056".

AND FURTHER AMEND in Section 43 of the printed bill by deleting item 1 in its entirety and substituting instead the following:

Item 1. It is the legislative intent to recognize a base recurring over-appropriation in the general fund of \$76,600,000 in 2005-2006 and \$76,600,000 in 2006-2007. It further is the legislative intent to recognize a non-recurring over-appropriation in the general fund of \$12,000,000 in 2006-2007 from the appropriations for the Cover Tennessee program (\$5,000,000) and the Coordinated School Health program (\$7,000,000). Other provisions of the law and this act to the contrary notwithstanding, from the appropriation made in this act for the Cover Tennessee program, the sum of \$5,000,000 shall revert at June 30, 2007 to the general fund balance.

AND FURTHER AMEND by adding the following language as a new, appropriately designated section:

SECTION ____ From proceeds of bonds issued under the authority of Senate Bill 3912 / House Bill 4015, there is allocated the sum of \$41,000,000 for the purpose of addressing the impact of escalating construction costs arising from various factors, including the effects of hurricanes Katrina and Rita. It is the legislative intent that funds appropriated pursuant to this section be used to address those state capital outlay and maintenance projects authorized by the general assembly prior to August 2005. At the commissioner's discretion, an amount not to exceed four million dollars (\$4,000,000) may be allocated to fund renovations of the executive residence. The commissioner is

authorized to allocate funds to specific capital outlay and maintenance projects subject to approval by the state building commission.

AND FURTHER AMEND by adding the following new items at the end of Section 10:

Item _____. Notwithstanding any provision of this act to the contrary, all funds appropriated pursuant to Tennessee Code Annotated, Section 36-6-413(b)(2)(E), for the Tennessee court appointed special advocates association (CASA), shall be expended exclusively for expansion of the CASA program within unserved counties and for staff directly related to such expansion.

Item _____. From revenues within the Highway Fund, there is earmarked the sum of \$14,625 for the sole purpose of implementing Senate Bill 3072 / House Bill 3052, relative to designating the Purple Heart Trail, if such bill becomes a law.

Item _____. From the alcohol and drug addiction treatment (ADAT) fund established by §40-33-211(c)(2), there is earmarked a sum sufficient not to exceed \$1,591,000 for the sole purpose of implementing the provisions of Senate Bill 3212 / House Bill 3235, relative to drug and alcohol assessments and treatment, if such bill becomes law.

Item _____. From funds appropriated to the Department of Personnel by the provisions of this act, there is earmarked a sum sufficient for the sole purpose of developing a proposed comprehensive pay plan for state employees. In order to attract and retain the high-quality workforce necessary to effectively and efficiently deliver state services to Tennessee's citizens, the proposed comprehensive pay plan shall be as competitive as reasonably practicable. The proposed pay plan shall include provisions providing for periodic adjustment of individual employee compensation in a manner that would appropriately move state employees through their respective salary ranges and, thereby, would avoid future salary compression problems. The plan shall also address

issues pertaining to employee educational requirements, training, performance, duties, responsibilities and experience in order to ensure that state employees would be properly classified in accordance with the primary job duties and responsibilities of their positions. In developing the plan, the department shall consult with the Tennessee State Employees Association and other stakeholders. No later than November 15, 2006, the Department of Personnel shall submit the proposed comprehensive pay plan, including and recommended legislation necessary to implement the plan, for review and appropriate action by the Governor; the Speaker of the Senate; the Speaker of the House of Representatives; the Finance, Ways and Means Committee of the Senate; and the Finance, Ways and Means Committee of the House of Representatives.

Item _____. From the funds appropriated to the Department of Military, there is earmarked the sum of \$6,600 for the sole purpose of implementing Senate Joint Resolution No. 667, relative to designating the Tennessee National Guard Headquarters in honor of Major General Hugh B. Mott, if such resolution is adopted.

Item _____. From the funds appropriated to the Department of Environment and Conservation, there is earmarked the sum of \$50,000 for a grant to the Tennessee Parks and Greenways Foundation for the sole purpose of preserving public presentations of Tennessee State Naturalist, Mack Prichard. The Department shall award the grant in accordance with an approved written proposal that includes, but is not limited to, a budget, a schedule of activities and payments, and a description of deliverables. The materials preserved or developed with such funds shall be the property of the department.

Item _____. Prior to allocating the funds appropriated to miscellaneous appropriations for the biofuels project, the governor's ethanol initiative committee shall review the incentive program for counties in the eastern grand division of the state, other than Hamilton and Marion counties, that are designated as non-attainment areas by the

United States environmental protection agency and the feasibility of making grants for ethanol production activity in Tennessee.

Item _____. From the funds appropriated to the Department of Environment and Conservation, there is earmarked the sum of \$375,000 for the sole purpose of major maintenance and improvements for the Bicentennial Mall in Nashville.

Item _____. From the funds appropriated by the provisions of this act for classification compensation and compression, there is earmarked a sum sufficient to be allocated to the Secretary of State, Office of the Comptroller of the Treasury, Treasury Department, and the General Assembly, for the sole purpose of addressing compensation adjustments. Any such sum allocated to the Secretary of State, Office of the Comptroller, or the Treasury Department shall be subject to approval by both Speakers.

Item _____. It is the legislative intent that the appropriations act for fiscal year 2007 - 2008 shall not transfer or otherwise divert any revenues from the highway fund into the state's general fund.

AND FURTHER AMEND by adding the following new items at the end of Section 12:

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated a sum sufficient to implement all bills, having an estimated first year's cost of \$100,000 or less, which becomes law.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$460,300 recurring to the Department of State for the sole purpose of replacing revenue formerly collected from the Department of Human Services to fund four (4) administrative law judge positions. It is the legislative intent that

any carry forward authority contained in this Act, for such purpose, shall be reduced by the amount appropriated by this item.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$228,300 to the Tennessee state museum for the sole purpose of making the following improvements:

- | | |
|---|---------------|
| (a) Museum librarian/archivist | \$40,400; |
| (b) Travel | \$10,000; |
| (c) Museum curator | \$40,400; |
| (d) Three (3) museum program assistants | \$87,500; and |
| (e) Artifact conservation | \$50,000. |

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$400,000 to the Department of Health for the sole purpose of expanding the Breast and Cervical Cancer Program. It is the legislative intent that funding appropriated by this item shall be nonrecurring.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$1,000,000 to the Department of Human Services for the sole purpose of making a grant in such amount to the Second Harvest Food Bank, to be used for anti-hunger programs in Tennessee.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$150,000 to the Department of Health for the sole purpose of making a grant in such amount to the Crumley House located in Washington County, to be used for the provision of programs and services on behalf of persons suffering from traumatic brain injuries.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$1,000,000 non-recurring to the Department of Transportation for the sole purpose of addressing mass transit capital needs. It is the

legislative intent that the sum appropriated by this item shall be allocated across the state subject to a match rate requirement of one state dollar for each local dollar. It is also the legislative intent that such state and local funding shall be utilized to maximize the allocation of federal funding available under SAFE TEA-LU for mass transit needs in Tennessee. All state funds that are not matched by local funds pursuant to this Item shall be retained by the Department of Transportation.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$700,000 nonrecurring to the University of Tennessee at Martin for the sole purpose of constructing an entrance at the University of Tennessee at Martin McNairy County/Selmer campus.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$100,000 to the department of finance and administration for the sole purpose of making a grant in such amount to the Tennessee Arts Commission, to be used for implementation of a model schools project demonstrating the benefits of fully integrating the arts into the public elementary education curriculum.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$144,619 to the Department of Health for the sole purpose of making a grant in such amount to the Aspell Recovery Center Talbot House , to be used for treatment of chemically dependent persons.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$225,000 to the Department of Correction for the sole purpose of making a grant in such amount to Chattanooga Endeavors, to be used for establishment of a Reentry Consortium of service agencies to coordinate reentry efforts for former state inmates residing in the Chattanooga area.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$750,000 recurring and \$288,200 non-recurring for the sole purpose of implementing Senate Bill 3354 / House Bill 2832, relative to non-discrimination by vendors for all expenditures of public funds, if such bill becomes a law.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$118,000 recurring and \$30,000 non-recurring for the sole purpose of implementing Senate Bill 3623 / House Bill 3616, relative to biodiesel production incentives, if such bill becomes a law.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$15,000 to the Department of Education for the sole purpose of making a grant in such amount to VSA arts Tennessee, to be used for implementation of an interdisciplinary educational program for children with disabilities, to be based on the VSA arts International "Start with the Arts" model program.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$165,900 recurring and \$12,900 non-recurring for the sole purpose of implementing Senate Bill 2978 / House Bill 3067, relative to the CDC's National Nosocomial Infection Surveillance / National Healthcare Safety Network surveillance system, if such bill becomes a law.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$201,060 for the sole purpose of implementing Senate Bill 3828 / House Bill 3578, relative to assistant victim-witness coordinators in six judicial districts, if such bill becomes a law.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$50,000 to the Department of Finance and Administration for the sole purpose of making a grant in such amount to Alzheimer's

Disease and Related Disorders Association, Eastern TN Chapter, to be used for operational expenses in providing day services to individuals with memory loss.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$182,700 for the sole purpose of implementing Senate Bill 2583 / House Bill 2662, relative to unlawful sexual activity against a child less than thirteen years of age, if such bill becomes a law.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$597,400 for the sole purpose of implementing Senate Bill 2582 / House Bill 2663, relative to statutory rape by an authority figure, if such bill becomes a law.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$150,000 recurring to the Department of Safety for the sole purpose of drug prevention and violence education programs.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$450,000 recurring and a \$5,000 non-recurring for the sole purpose of implementing Senate Bill 2845 / House Bill 3261, relative to model programs on teen pregnancy, if such bill becomes a law.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$320,500 for the sole purpose of implementing Senate Bill 813 / House Bill 853, relative to second degree murder, if such bill becomes a law.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$40,000 non-recurring for the sole purpose of implementing House Joint Resolution 1092, relative to creation of a sculpture to be placed on the second floor of the state capitol to honor and commemorate the first African Americans who served in the Tennessee General Assembly, if such resolution is adopted.

Item _____. In addition to all other funds appropriated by the provisions of this act, there is appropriated the sum of \$13,000,000 to fund a one percent (1%) across-the-board salary increase for each state employee and to adjust the appropriate salary ranges in like manner. It is the legislative intent that state employees shall receive the salary increase authorized by this item in addition to all other compensation increases appropriated by any other provision of this act. This item does not apply to employees in positions which come under the provisions of statutorily mandated pay plan; provided, however, the employees who come under the provisions of a statutorily mandated plan shall be paid in accordance with the provisions of such statutory plan. This item does not apply to employees of higher education or to employees of local education agencies.

Item _____. In addition to all other appropriations made by the provisions of this act, there is appropriated the sum of \$23,600,000 non-recurring for the purpose of funding a one-time, flat-rate salary bonus of \$350 for state employees and employees of public higher education. It is the legislative intent that such employees shall receive the salary bonus authorized by this item on or about October 1, 2006; that such bonus shall be paid in addition to all other compensation increases appropriated by any other provision of this act; and that amounts paid under this item shall be included as earnable compensation for retirement purposes. This item does not apply to employees in positions which come under the provisions of a statutorily mandated pay plan; provided, however, the employees who come under the provisions of a statutorily mandated plan shall be paid in accordance with the provisions of such statutory plan.

Item _____. In addition to all other appropriations made by the provisions of this act, there is appropriated the sum of \$21,200,000 non-recurring for the purpose of funding a one-time, flat-rate bonus for all licensed personnel within local education agencies for fiscal year 2006 – 2007. It is the legislative intent that each person eligible for such bonus shall receive an equal share. The Commissioner of Education shall

develop a plan for distribution of such amount to achieve this intent, with such plan subject to approval of the Commissioner of Finance and Administration. It is further the legislative intent that such bonus shall be paid on or about October 1, 2006; that such bonus shall be paid in addition to all other compensation increases appropriated by any other provision of this act; and that amounts paid under this item shall be included as earnable compensation for retirement purposes.

Item _____. In addition to any other funds appropriated by this act, there is appropriated the following sums for the purpose of increasing the thirty-dollar (\$30.00) employer match to the state's 401(k) deferred compensation plan to a forty-dollar (\$40.00) employer match:

- (a) Department of Finance & Administration..... \$2,895,400
- (b) University of Tennessee\$905,100
- (c) State Board of Regents\$995,700

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$3,043,500 for the sole purpose of implementing Senate Bill 3178 / House Bill 3266, relative to compensation of state officials and employees, if such bill becomes a law.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$35,000 to the Department of Correction for the sole purpose of making a grant in such amount to the Philadelphians Prison Ministry's Help House, to be used for programs and services.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$75,000 non-recurring to the Warner Park Zoo in Chattanooga, for the sole purpose of improvements.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$250,000 to the Department of Economic and

Community Development for the sole purpose of making a grant in such amount to Jefferson Street United Merchants Partnership, Inc., (JUMP), to be used for community improvements.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$150,000 for the sole purpose of implementing Senate Bill 3315 / House Bill 3566, relative to the estates of certain deceased law enforcement officers and firefighters, if such bill becomes a law.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$3,300,000 for the sole purpose of providing a \$15 flat-rate increase in the level of the state's contribution on behalf of retired state employees for Medicare supplemental insurance.

Item _____. It is hereby recognized that Senate Bill 3123 / House Bill 2903 may result in a potential revenue loss of \$550,000, if such bill becomes a law.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$273,000 recurring and \$23,000 non-recurring for the sole purpose of implementing Senate Bill 2476 / House Bill 2437, relative to a new circuit court judgeship in the 22nd Judicial District, if such bill becomes a law.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$150,000 non-recurring for the sole purpose of implementing Senate Bill 2483 / House Bill 3759, relative to protective vests for correctional officers, if such bill becomes a law.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$270,179 to the Department of Revenue for the sole purpose of employing three (3) additional enforcement agents to enhance the collection of excise tax levied on unauthorized substances.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$225,000 to the Department of Correction for the sole purpose of making a grant in such amount to the Shelby County General Sessions Criminal Court, to be used for the Shelby County ADAT Pilot Program to reduce recidivism by DUI offenders.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$1,127,200 for the sole purpose of implementing Senate Bill 3561 / House Bill 2842, relative to extension of the statute of limitations for prosecution of certain felonies, if such bill becomes a law.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$375,000 for the sole purpose of implementing Senate Bill 3609 / House Bill 3956, relative to cooperation and coordination among justice and justice-affiliated agencies, if such bill becomes a law.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$120,600 for the sole purpose of implementing Senate Bill 3560 / House Bill 2837, relative to willful abuse, neglect or exploitation of an adult, if such bill becomes a law.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$80,000 to the Department of Human Services for the sole purpose of making a grant in such amount to the Knoxville Center of the Deaf, to be used for direct services to deaf-blind persons and deaf senior citizens and for career development.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$1,000,000 non-recurring to the Walters State Community College Foundation for the sole purpose of planning, acquisition of property and construction of an agricultural exposition center.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$23,700 non-recurring to the Tennessee Holocaust Commission for the sole purpose of programs and services.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$300,000 non-recurring to the University of Tennessee for the Ned McWherter Center for Rural Development, to be used for site acquisition, development and construction.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$1,000,000 to the Tennessee Housing Development Agency for the THDA Housing Program Fund.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$50,000 to the Tennessee Coalition Against Domestic and Sexual Violence for the sole purpose of defraying staffing and training expenses for the Domestic Violence State Coordinating Council.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$20,200,000 to the Tennessee Higher Education Commission for the sole purpose of increasing formula unit operating funds for state institutions of higher education.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$5,000,000 to the Tennessee Higher Education Commission for the sole purpose of increasing non-formula unit operating funds for state institutions of higher education.

Item _____. It is hereby recognized that Senate Bill 3931/ House Bill 4049, relative to the 2007 Sales Tax Freedom Weekend, will result in a non-recurring revenue loss of \$11,400,000, if such bill becomes a law.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$10,200,000 for the sole purpose of implementing Senate Bill 3931 / House Bill 4049, relative to the the tax relief program for elderly low-income homeowners, if such bill becomes a law.

AND FURTHER AMEND by adding the following new item at the end of Section 12:

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated a sum sufficient to the Commission on Fire Fighting Personnel Standards and Education for the sole purpose of increasing the pay bonus supplement, authorized pursuant to Section 7, Item 11, to the level of \$450 per person.

AND FURTHER AMEND by deleting from Section 7, Item 11, the language "and no supplement to any person shall exceed three hundred and eighty nine dollars (\$389.00)" and by substituting instead the following:

; provided, however, no supplement to any eligible person shall be less than four hundred fifty dollars (\$450)

AND FURTHER AMEND by adding the following new item at the end of Section 12:

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated a sum sufficient to the POST Commission for the sole purpose of increasing the pay bonus supplement, authorized pursuant to Section 7, Item 13, to the level of \$600 per person.

AND FURTHER AMEND by deleting from Section 7, Item 13, the language "and no recipient shall be eligible to receive a supplement of more than five hundred eighteen dollars and seventy cents (\$518.70) pursuant to such appropriation" and by substituting instead the following:

; provided, however, no supplement to any eligible person shall be less than six hundred dollars (\$600)

AND FURTHER AMEND by adding the following language as a new, appropriately designated section:

SECTION __. The Department of Finance and Administration and the Comptroller of the Treasury, acting jointly, shall fully review the financing of long-term care services provided through TennCare to ensure that resources are used as efficiently and effectively as possible in providing quality care and appropriate services in all settings. In particular, the study shall consider policies and procedures necessary to implement the principles cited in T.C.A., § 71-5-1402(e) to the fullest extent possible within available appropriations. Prior to March 1, 2007 the review provided for herein, and any recommendations, contained therein, shall be presented to the Finance, Ways and Means Committees of the House and Senate.

AND FURTHER AMEND by adding the following language as a new, appropriately designated section:

SECTION __. It is hereby declared to be the legislative intent that the Tennessee Higher Education Commission shall, as part of the budget recommendation to the Governor each year, provide estimates of likely increases in student fees at various levels of state appropriations varying from zero increase in state appropriations to full funding of the Commission's recommendations. It is further the intent of the General Assembly that the Commission include within its recommendations the total revenues expected to be available to each higher education institution for educational and general purposes (including state appropriations, student fees and any other available funds), compared to total educational and general revenues recommended for each institution under the Commission's formula at full funding.

AND FURTHER AMEND in Section 49, by deleting Item 6 in its entirety and by substituting instead the following language:

Item 6.

(a) From the appropriations made in this act to higher education systems, it is the legislative intent that a salary increase of two percent (2%) be given effective July 1, 2006. It is the legislative intent that salary increases pursuant to this appropriation and from fees and institutional revenues shall be across-the-board to all higher education employees in an equal amount or percentage increase. Prior to the distribution of these funds, the executive director of the Tennessee Higher Education Commission, the President of the University of Tennessee system and the Chancellor of the Board of Regents shall submit to the Speaker of the Senate, the Speaker of the House of Representatives, the Chairs of Finance, Ways and Means Committees of the Senate and House of Representative and the Office of Legislative Budget Analysis a plan for eligibility and distribution of these funds.

(b) In lieu of the salary distribution provided in subdivision (a), the University of Tennessee system and the state board of regents may, from funds appropriated herein for salary increases, fund equity and/or merit adjustments; provided that each faculty member shall receive a minimum increase of 1.0% and all other employees shall receive a minimum increase of the greater of 2.0% or \$600.00. Prior to any such distribution of these funds pursuant to this item, the system shall submit to the Speaker of the Senate, the Speaker of the House of Representatives, the Chairs of Finance, Ways and Means Committees of the Senate and House of Representatives and the Office of Legislative Budget Analysis a plan for eligibility and distribution of these funds.

(c) Additional general salary increases, if any, for employees of higher education that exceed the across-the-board salary increase provided in this item may only be granted from funds available to institutions of higher education if such increases are

submitted to and approved by the board of trustees of the University of Tennessee or the board of regents, respectively. Such plans shall also be submitted to the Commissioner of Finance and Administration and the Office of Legislative Budget Analysis.

AND FURTHER AMEND by adding the following language as a new, appropriately designated section:

It is hereby declared to be the legislative intent that the staff of the Tennessee Higher Education Commission, in coordination with the Office of Education Accountability in the Office of the Comptroller of the Treasury, conduct a review of the academic and programmatic offerings of Lemoyne-Owen College in order to develop recommendations for changes that may be required to best insure the on-going viability of such institution. The review shall take into consideration issues including, but not limited to financial concerns as well as student recruitment and retention. Such review shall be completed as soon as is practical, but not later than January 1, 2007.